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How U.S. helps informers vanish

By Katheryn Christensen

John Twomey and Jerry Lyda deny there is any cloak-and-dagger flair to their work. At the same time, the two U.S. marshals refuse to discuss their jobs and indicate that keeping the details a mystery is absolutely necessary.

Twomey is chief marshal for this area and Lyda is his officer directly responsible for the marshal service's witness-security program.

The witness-security, or relocation, program administered by the U.S. Marshal Service is the government's method of protecting its witnesses who "realistically" fear reprisals as a result of the information in their testimony.

MOST OFTEN the witnesses who receive security are involved in the trials of organized-crime figures and have criminal records themselves. The services the government gives them in return for testimony may last for several years and include the creation of new identities.

The security program has an annual budget of $11 million, according to a spokesman for the marshal service in Washington: $2.5 million for witness expenses and $8.5 million for salaries of marshals involved. Approximately 1,400 witnesses—and their families—have been relocated or protected during the last six years.

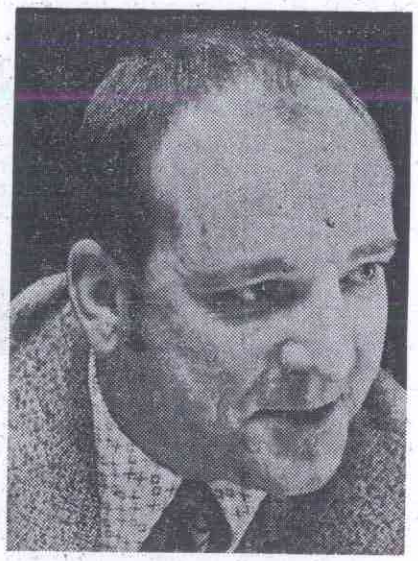
Informants

Third of four articles

Approved by Congress in 1969, the program gave the government authority to virtually wipe clean the record of crimes the witnesses may have committed as well as move them into society with spotless backgrounds.

Before Congress approved the program (authored essentially by former Atty. Gen. John Mitchell), protecting witnesses was a "seat-of-the-pants" operation, according to one government official.

Sam Betar, formerly an assistant U.S. attorney here, said, "We couldn't get anybody to give protection because everyone said he wasn't in the business of guarding people. So



John J. Twomey

into new lives

we had to use whatever connections we had and keep shuttling witnesses from motels to military bases, always with aliases."

LYDA SAID THE marshals are usually unaware of the circumstances making it necessary to guard a witness and prefer it that way.

"We take care of those witnesses whose lives are in serious jeopardy, and we begin long before their testimony in court or before a grand jury," Lyda continued. "Within 24 hours after receiving authorization (from the Justice Department), we pick them up bag, baggage and immediate family and get started."

Before, during and after the testimony, witnesses may be located virtually anywhere in the country. Lyda indicated they are provided with around-the-clock protection at least until a trial is concluded.

William O'Neal, the FBI informant who became a witness in trials involving the raid on Black Panther headquarters in 1969 and the 1972 slaying of a narcotics dealer by a Chicago policeman, is still being protected by the marshals. O'Neal has been moved to another city and given a new identity.

THOUGH THE LENGTH of the goverment protection varies with each witness, Lyda said the marshals have been involved with some for as long as four years. If the witness must be relocated and given a new identity after a trial, the marshals provide documents "to the extent necessary to create that identity."

That may require anything from new birth certificates and grammar school records to arrangements to clear outstanding debts or provide glowing histories of past employment. The documentation, Twomey and Lyda insist, is routinely handled; the most difficult aspect of dealing with the witnesses is persuading them to completely sever old ties with family and friends.

"And the children," Twomey added. "You have to almost make it a game with them in order to make them understand that talking

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about the past — old schoolmates, for example — is forbidden."

Another problem, but one the marshals refused to discuss, is protecting the unsuspecting public from being swindled by a criminal who is moving in society with proper credentials and a carefully manufactured clean record.

"All I can say is that we don't tolerate more criminal activities," Twomey said, adding that the marshals continue to monitor the witness once he is relocated.

HOW THEY DO THAT is unclear. Twomey said at one point, however, that the marshals prefer to stay as far away from the witnesses as possible to avoid provoking suspicion. "They (the witnesses) maintain contact with us by code number . . . there's a certain umbilical cord they seem to feel," he said. "And, since they are forbidden to communicate directly with anyone who knew them in the past, they get in touch with us if they need something."

The new identities, however, aren't always foolproof. One anonymous source cited the close call recently involving a witness who had been relocated overseas. A bill collector managed to find the individual.

(Another example is Gerald Zelmanowitz, a relocated witness who is now suing the government for giving him an incomplete identity, which was unraveled by one of his new business associates.)

WITNESSES WHO DEPART for their new lives leaving a trail of debts behind them also seem to be a problem. Twomey adamantly denied that the government either pays the debts, leaves the businessman holding the bag or pressures the businessman to forgive the debt.

Babs Alliman, an official with the marshal service in Washington, said, "The government will not assume responsibility for the debts, but will oversee arrangements made in meeting a payment schedule."

In instances of possessions such as cars or houses, Twomey said, the merchandise is usually returned to the company financing it. "The witness obviously can't keep either one of those anyway," he said.

NEXT: Informers for pay — or "patriotism"